

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Jenzo Duque	Team: Squad #8	CCRB Case #: 201805591	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 07/03/2018 5:00 PM	Location of Incident: 67th Precinct Stationhouse	Precinct: 67	18 Mo. SOL 1/3/2020	EO SOL 1/3/2020	
Date/Time CV Reported Tue, 07/03/2018 9:03 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 07/11/2018 11:03 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Hector Casillas	30712	952552	067 PCT
2. POM Pierre Pradieu	20943	940593	067 PCT
3. POM Gregory Vasquez	21626	951369	067 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Hector Casillas	Force: Police Officer Hector Casillas tightly handcuffed § 87(2)(b)	§ 87(2)(g)
B.POM Hector Casillas	Discourtesy: Police Officer Hector Casillas spoke discourteously to § 87(2)(b)	§ 87(2)(g)
C.POM Pierre Pradieu	Discourtesy: Police Officer Pierre Pradieu spoke discourteously to § 87(2)(b)	§ 87(2)(g)
D.POM Pierre Pradieu	Off. Language: Police Officer Pierre Pradieu made remarks to § 87(2)(b) based upon ethnicity.	§ 87(2)(g)
E.POM Hector Casillas	Abuse: Police Officer Hector Casillas refused to provide his name and shield number to § 87(2)(b)	§ 87(2)(g)
F.POM Gregory Vasquez	Abuse: Police Officer Gregory Vasquez refused to provide his name and shield number to § 87(2)(b)	§ 87(2)(g)

### Case Summary

§ 87(2)(b) filed this complaint with IAB, under IAB Log #2018-26327, on July 3, 2018. IAB forwarded the complaint to the CCRB on July 11, 2018.

On July 3, 2018, at approximately 5:00 p.m., inside the 67<sup>th</sup> Precinct stationhouse in Brooklyn, Police Officer Hector Casillas placed a zip-lock bag of marijuana onto the front desk while processing § 87(2)(b)'s arrest. Upon observing the zip-lock bag, § 87(2)(b) objected to the marijuana and PO Casillas allegedly tightened his handcuffs in a retaliatory fashion (**Allegation A: Force**, § 87(2)(g)). PO Casillas and other officers then escorted § 87(2)(b) to the prisoner holding pen, where they attempted to remove several chain necklaces from around his neck. § 87(2)(b) did not allow officers to remove the chains and PO Casillas allegedly stated, "Take them fucking off," to § 87(2)(b) (**Allegation B: Discourtesy**, § 87(2)(g)). PO Casillas placed § 87(2)(b) in the prisoner holding pen, where Police Officer Pierre Pradieu monitored him. § 87(2)(b) requested medical attention and PO Pradieu allegedly escorted § 87(2)(b) to an ambulance while referring to him as a "fucking asshole" and "stupid Spanish motherfucker," (**Allegation C: Discourtesy**, § 87(2)(g); **Allegation D: Offensive Language**, § 87(2)(g)). § 87(2)(b)'s mother, then went to the stationhouse to obtain information about § 87(2)(b). PO Casillas and Police Officer Gregory Vasquez entered the stationhouse lobby and PO Casillas approached § 87(2)(b). PO Casillas told her that § 87(2)(b) had been removed to the hospital, and § 87(2)(b) allegedly requested the names and shield numbers of PO Casillas and PO Vasquez, which they declined to provide (**Allegation E: Abuse of Authority**, § 87(2)(g); **Allegation F: Abuse of Authority**, § 87(2)(g)).

The NYPD provided stationhouse video footage for this incident. The footage is 1:12:00 long and a portion of it pertains to the incident (Board Review 01). § 87(2)(b) was arrested during this incident. No summonses were issued during this incident.

### Findings and Recommendations

#### **Allegation (A) Force: Police Officer Hector Casillas tightly handcuffed § 87(2)(b)**

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§ 87(2)(b)

According to § 87(2)(b)'s verified statement (Board Review 02), PO Casillas removed the zip-lock bag of marijuana from his front right pants pocket and placed it on the front desk. § 87(2)(b) told PO Casillas he would not charge him for marijuana possession and PO Casillas stated § 87(2)(b) should not be concerned over the marijuana. § 87(2)(b) then raised his voice and reiterated that the marijuana did not belong to him. PO Casillas stood behind § 87(2)(b) and § 87(2)(b) both felt and heard the handcuffs tighten on his wrists. § 87(2)(b) handcuffs were never loosened or removed before that point in time. § 87(2)(b) only felt the handcuffs tighten after he objected to the marijuana. § 87(2)(b) sustained bruising to his wrists as a result of the tightened handcuffs. After being lodged in the prisoner

holding pen, § 87(2)(b) was removed to § 87(2)(b), where he received x-rays of his hands and no other treatment.

In PO Casillas statement to the CCRB (Board Review 03), after PO Casillas had escorted § 87(2)(b) inside the 67<sup>th</sup> Precinct stationhouse, he searched the rear passenger seat of his police vehicle and recovered a zip-lock bag of marijuana. PO Casillas had checked the vehicle for contraband prior to beginning his tour, and § 87(2)(b) was the first individual to be placed inside the rear of the vehicle on the incident date, so he concluded the marijuana belonged to § 87(2)(b). When PO Casillas escorted § 87(2)(b) to the front desk, PO Casillas did not ask § 87(2)(b) about the marijuana or tell him that he had recovered it from the rear passenger seat. When § 87(2)(b) observed the marijuana, he stated it did not belong to him. § 87(2)(b) did not move when he protested, as he was still in handcuffs, but § 87(2)(b) did raise his voice. PO Casillas then placed § 87(2)(b) in the prisoner holding pen. At no point did § 87(2)(b) complain of injuries to PO Casillas. § 87(2)(b) did not ask to be taken to the hospital in any capacity in PO Casillas's presence. PO Casillas did not hear § 87(2)(b) state that an officer had tightened his handcuffs. PO Casillas did not witness an officer tightly handcuff § 87(2)(b). PO Casillas denied tightening § 87(2)(b)'s handcuffs.

In PO Pradieu's statement to the CCRB (Board Review 04), PO Pradieu worked as the cell attendant for defendants in the prisoner holding pen. PO Pradieu had no independent recollection of this incident. However, upon further questioning, PO Pradieu acknowledged being present when § 87(2)(b) was placed in the prisoner holding pen, but he did not recall what occurred during § 87(2)(b)'s lodging. PO Pradieu did not recall § 87(2)(b)'s tone or demeanor while inside the prisoner holding pen, nor did he recall any statements § 87(2)(b) made to him or to any other officer. § 87(2)(b) complained of having pain in his wrists, but PO Pradieu had no independent recollection of said complaint beyond the documentation in his memo book. PO Pradieu did not witness an officer tighten § 87(2)(b)'s handcuffs.

According to § 87(2)(b) Medical Records from § 87(2)(b) (Privileged Documents), while in transit to the hospital, § 87(2)(b) stated he experienced pain in his left wrist related to handcuffing, due to a previous surgery in his left thumb. Prior to a physician's evaluation, initial medical staff documented that § 87(2)(b) had mild redness and swelling to his hands, but noted that his fingers were mobile and warm. § 87(2)(b) reported pain in his left wrist, but no associated numbness, tingling, or weakness, to an attending physician. The same attending physician noted mild reddening to § 87(2)(b)'s left wrist, but otherwise observed no swelling or bruising. § 87(2)(b)'s wrist also retained its full range of motion and the attending physician stated a fracture was unlikely. § 87(2)(b) was discharged from the hospital after receiving x-rays, which yielded negative results for a fracture or acute inflammation. Attending physicians stated § 87(2)(b)'s pain was likely caused from bruising and an irregularity in his metacarpal bones related to a previous fracture.

§ 87(2)(b), § 87(2)(g)

**Allegation (B) Discourtesy: Police Officer Hector Casillas spoke discourteously to § 87(2)(b)**

It is undisputed that after § 87(2)(b) objected to the marijuana at the front desk, PO Casillas and several other officers escorted § 87(2)(b) to the prisoner holding pen. While outside the holding pen, the officers attempted to remove chains from around § 87(2)(b)'s

neck and he would not allow them to do so. PO Casillas then allegedly stated, “Take them fucking off,” to § 87(2)(b)

According to § 87(2)(b)'s verified statement (Board Review 02), after he objected to the marijuana, approximately seven officers, including PO Casillas, escorted him towards the prisoner holding pen. While outside the prisoner holding pen, officers tried to remove chains from around § 87(2)(b)'s neck, but he would not allow them to do so for religious reasons. PO Casillas continued to stand behind § 87(2)(b) and hold his handcuffs while stating, “Take them fucking off,” to § 87(2)(b)

In PO Casillas's statement to the CCRB (Board Review 03), when § 87(2)(b) objected to the marijuana, approximately four or five uniformed officers gathered around him, due to his yelling. PO Casillas did not recall which officers gathered around § 87(2)(b) specifically. PO Casillas and the officers escorted § 87(2)(b) to the prisoner holding pen. § 87(2)(b) did not want to remove his jewelry, possibly for religious reasons, but PO Casillas and the officers removed the jewelry from his person for his safety. PO Casillas did not hear an officer state, “Take them fucking off,” to § 87(2)(b). PO Casillas denied stating, “Take them fucking off,” to § 87(2)(b)

In PO Pradieu's statement to the CCRB (Board Review 04), PO Pradieu worked as the cell attendant for defendants in the prisoner holding pen. PO Pradieu had no independent recollection of this incident. However, upon further questioning, PO Pradieu acknowledged being present when § 87(2)(b) was placed in the prisoner holding pen, but he did not recall what occurred during § 87(2)(b)'s lodging.

§ 87(2)(b), § 87(2)(g)

**Allegation (C) Discourtesy: Police Officer Pierre Pradieu spoke discourteously to § 87(2)(b)**

**Allegation (D) Offensive Language: Police Officer Pierre Pradieu made remarks to § 87(2)(b) based on race.**

It is undisputed that after § 87(2)(b) was lodged in the prisoner holding pen, he was removed to § 87(2)(b) Hospital. When the ambulance arrived to transport § 87(2)(b) PO Pradieu allegedly escorted § 87(2)(b) out of the 67<sup>th</sup> Precinct stationhouse and referred to him as both a “fucking asshole” and a “stupid Spanish motherfucker,” while doing so.

According to § 87(2)(b)'s verified statement (Board Review 02), after he was lodged in the prisoner holding pen, § 87(2)(b) requested medical attention for pain in his wrists. When the ambulance arrived to transport him to § 87(2)(b), PO Pradieu entered the prisoner holding pen and placed shackles around § 87(2)(b)'s legs. PO Pradieu then escorted § 87(2)(b) out of the stationhouse while stating, “You're a stupid Spanish motherfucker,” and called him a “fucking asshole.” § 87(2)(b) made no statements to PO Pradieu in response.

In PO Pradieu's statement to the CCRB (Board Review 04), PO Pradieu worked as the cell attendant for defendants in the prisoner holding pen. PO Pradieu did not recall if he removed § 87(2)(b) from the prisoner holding pen himself. PO Pradieu did not recall escorting § 87(2)(b) to the ambulance. PO Pradieu did not hear an officer refer to § 87(2)(b) as a “stupid Spanish motherfucker.” PO Pradieu did not hear an officer refer to § 87(2)(b) as a “fucking asshole.” PO Pradieu denied referring to § 87(2)(b) as a “stupid Spanish motherfucker.” PO Pradieu denied referring to § 87(2)(b) as a “fucking asshole.”

In PO Casillas's statement to the CCRB (Board Review 03), PO Casillas did not interact with § 87(2)(b) after he placed him in the prisoner holding pen. PO Casillas witnessed § 87(2)(b) leave the stationhouse and be escorted into an ambulance by a cell attendant. PO Casillas did not recall who the cell attendant was on the incident date. PO Casillas did not hear an officer refer to § 87(2)(b) as a "stupid Spanish motherfucker." PO Casillas did not hear an officer refer to § 87(2)(b) as a "fucking asshole." PO Casillas denied referring to § 87(2)(b) as a "stupid Spanish motherfucker." PO Casillas denied referring to § 87(2)(b) as a "fucking asshole."

§ 87(2)(b), § 87(2)(g)

**Allegation (E) Abuse of Authority: Police Officer Hector Casillas refused to provide his name and shield number to § 87(2)(b)**

**Allegation (F) Abuse of Authority: Police Officer Gregory Vasquez refused to provide his name and shield number to § 87(2)(b)**

It is undisputed that after § 87(2)(b) was removed to § 87(2)(b) Hospital, § 87(2)(b) and § 87(2)(b)'s friend, § 87(2)(b) went to the 67<sup>th</sup> Precinct stationhouse to obtain information. When § 87(2)(b) arrived at the stationhouse lobby, she requested to speak with the officers who arrested § 87(2)(b). Both PO Casillas and PO Vasquez entered the lobby, and PO Casillas approached § 87(2)(b). PO Casillas informed § 87(2)(b) why § 87(2)(b) was arrested. § 87(2)(b) then allegedly requested PO Vasquez and PO Casillas's names and shield numbers, and PO Casillas told her to remain in the lobby while they went inside the MOS area to write them down.

According to § 87(2)(b)'s verified statement (Board Review 05), § 87(2)(b) and § 87(2)(b) observed an ambulance outside the stationhouse upon their arrival. Both PO Casillas and PO Vasquez approached § 87(2)(b). PO Casillas spoke with § 87(2)(b) while PO Vasquez stood approximately six feet away and made no statements. PO Casillas stated that § 87(2)(b) had been arrested for a bench warrant and removed to the hospital. § 87(2)(b) responded that she had observed the ambulance outside the stationhouse and did not believe § 87(2)(b) had been removed yet. § 87(2)(b) then requested PO Casillas and PO Vasquez's names and shield numbers. PO Casillas stated he would go to the MOS area of the stationhouse and write down their information for her. PO Vasquez made no indication of having heard § 87(2)(b) and he did not respond to her request. The officers then left the lobby area. § 87(2)(b) witnessed § 87(2)(b)'s encounter with the officers and stood approximately 14 feet away while they spoke. § 87(2)(b) and § 87(2)(b) remained in the stationhouse lobby for over an hour and PO Casillas did not return.

§ 87(2)(b) could not be reached to provide statements regarding this incident.

In the stationhouse video footage provided by the NYPD (Board Review 01), two officers, identified as PO Casillas and PO Vasquez, entered the lobby area of the 67<sup>th</sup> Precinct stationhouse contemporaneously. PO Casillas approached § 87(2)(b) and PO Vasquez approached a male individual sitting closer to the stationhouse entrance. § 87(2)(b) then stood up to speak with PO Casillas, while PO Vasquez, who continued speaking with the male individual, had his back towards her. PO Vasquez then exited the lobby area and PO Casillas

spoke with § 87(2)(b) for approximately one minute longer before exiting the lobby as well. The footage does not contain audio.



2018-07-19\_8-54-25.mp4

In PO Casillas's statement to the CCRB (Board Review 03), PO Casillas did not recall the specific nature of his conversation with § 87(2)(b) but acknowledged informing her that § 87(2)(b) had been arrested. § 87(2)(b) did not request documentation of her visit to the stationhouse from PO Casillas. PO Vasquez did not refuse to provide his name and shield number to § 87(2)(b). PO Casillas denied refusing to provide his name and shield number to § 87(2)(b).

In PO Vasquez's statement to the CCRB (Board Review 06), PO Vasquez had no independent recollection of this incident. PO Vasquez did not recall any civilian encounters at the stationhouse on the incident date, but he acknowledged being present and on duty during the alleged time frame. Upon reviewing stationhouse video footage (Board Review 01), PO Vasquez identified himself as the officer speaking with the male individual, but did not recognize the female individual speaking with PO Casillas. PO Vasquez did not recall any conversation between PO Vasquez and § 87(2)(b). PO Vasquez did not recall personally interacting with § 87(2)(b). PO Vasquez did not recall any civilian asking PO Casillas for his name and shield number. PO Vasquez did not recall any civilian asking him for his name and shield number. PO Vasquez denied witnessing PO Casillas refuse to provide his name and shield number to § 87(2)(b). PO Vasquez denied refusing to provide his name and shield number to § 87(2)(b).

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

#### **Civilian and Officer CCRB Histories**

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 07).
- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 08).

- PO Hector Casillas has been a member of service for six years and this is the first CCRB complaint to which he has been a subject.
- PO Pierre Pradieu has been a member of service for twelve years and a subject in five complaints and seven allegations, none of which were substantiated. § 87(2)(g)
- PO Gregory Vasquez has been a member of service for seven years and a subject in three complaints and nine allegations, seven of which are still pending investigation. The remaining allegations were not substantiated. § 87(2)(g)

#### **Mediation, Civil and Criminal Histories**

- This case was not suitable for mediation.
- As of October 11, 2018, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (Board Review 09)
- § 87(2)(b)
- § 87(2)(b)

Squad No.: \_\_\_\_\_

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date